

Chapter 102

SOLID WASTE¹

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¹ **Cross references:** Buildings and building regulations, ch. 18; health and sanitation, ch. 58; utilities, ch. 126; performance standards for liquid or solid wastes, § 130-235; manufactured homes and trailers, § 130-1241.

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Sec. 102-1. Definitions³.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a) *Appliance* means a residential air conditioner, clothes dryer, clothes washer, dishwasher, freezer, oven, refrigerator, stove, or similar equipment.
- b) *Bulky item* means any item of solid waste which can be handled by one person but because of its size, shape or weight, will not fit into a solid waste container. This would include but not be limited to couches, mattresses, furniture, carpeting, and similar items.
- c) *Chipboard* means packaging normally utilized in lightweight boxes. Examples of current uses are cereal boxes, potato chip boxes, 12-pack beverage boxes and small toy packaging.
- d) *Collection point* means any individual dwelling place or any discrete commercial, business, industrial or governmental establishment as determined by the number of water meters within the city by the municipal services committee.
- e) *Contractor* means the person under contract with the city to collect and dispose of solid waste and curbside recyclables.
- f) *Curbside recyclables* means those recyclables designated by the city council under section 102-5(4) b to be collected on a bi-weekly basis by the city or its contractor.
- g) *Dumpster* means a large mechanical container provided by the property owner or collector. Such device must be adaptable to the mechanical dumping device currently in use on the refuse truck and kept clean and in a workable condition by the owner of the mechanical container.
- h) *Electronic waste* or *e-waste* means a device that requires an electric current or electromagnetic fields to function and that contains a circuit board including but not limited to televisions, computers, computer accessories, microwave ovens, fax machines, DVD players, and cell phones. E-waste is banned from disposal in Wisconsin landfills and incinerators.
- i) *Foam polystyrene packaging* means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - 1) Is designed for serving food or beverages.
 - 2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 - 3) Consists of rigid material shaped to hold and cushion the packaged article in a shipping container.

² **Cross references:** Buildings and building regulations, ch. 18; health and sanitation, ch. 58; utilities, ch. 126; performance standards for liquid or solid wastes, § 130-235; manufactured homes and trailers, § 130-1241.

³ **Cross references:** Definitions generally, § 1-2.

- j) *Garbage* means all organic refuse resulting from the preparation of food, and ordinary kitchen waste, including discarded, decayed or spoiled food products.
- k) *Household* means a dwelling within the city where a single family resides.
- l) *Lead acid battery* means an automotive battery that is designed to produce or store direct current electricity and is no longer suitable for its original purpose.
- m) *Magazines and catalogs* means any item produced on high-grade printing stock, usually multi-colored and glossy in appearance.
- n) *Newspaper* means newsprint type paper normally received as an ordinary newspaper, advertising circular or supplement. Magazines are not included in this definition.
- o) *Office paper* means white and colored paper, both regular and legal size, computer paper and similar papers.
- p) *Recyclable* means any item of solid waste which is prohibited by law or ordinance from being disposed of in a solid waste disposal facility (landfill), and includes but is not limited to the following:
 - 1) Corrugated paper or cardboard.
 - 2) A glass bottle or jar.
 - 3) Newspaper or other material printed on newsprint.
 - 4) Plastics, types 1 through 7.
 - 5) An aluminum, tin, or ferrous metal can.
 - 6) Lead acid batteries.
 - 7) Appliances.
 - 8) Yard refuse material.
 - 9) Chipboard.
 - 10) Office paper.
 - 11) Magazines and catalogs.
 - 12) Aseptic packaging.
- q) *Recycling container* means a container specifically provided by the contractor to be used exclusively for the storage and pickup of curbside recyclables by the contractor.
- r) *Refuse from the remodeling or reconstruction of a home or building* means that part of the home or building that is usually considered a permanent part of the home or building, including doors, windows, screens, cabinets, roofing materials, boards, plaster, lath, drywall, paneling and similar materials.
- s) *Rubbish* means any inorganic waste material which is being discarded. The term "rubbish" does not include any waste material under the definitions of the terms "garbage," "recyclable," "uncollectible materials," "yard refuse material" or "refuse from the remodeling or reconstruction of a home or building."
- t) *Solid waste* means any item of garbage or rubbish, recyclable or other discarded or salvageable material, including but not limited to waste materials resulting from industrial, commercial, agricultural, office, governmental, domestic use, and construction or public service activities.
- u) *Solid waste container* means a container specifically provided by the contractor to be used exclusively for the storage and pickup of garbage and rubbish by the contractor.
- v) *Uncollectible materials* means earth, sod, rock, concrete, blacktop or refuse from the remodeling or reconstruction of a home or building.
- w) *Waste oil* means automotive engine oil after it has been used and removed from the crankcase of a motor vehicle and contains no other contaminating substance.

- x) *Waste tire* means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- y) *Yard refuse bag* means any product designed to decompose within a reasonable time when exposed to weather elements, and so labeled by the manufacturer.
- z) *Yard refuse material* means grass clippings, weeds, garden waste, leaves, bushes, branches, tree parts or similar material.

(Code 1986, § 11.03(1), Ord. 2013-10, Ord. 2014-02)

Sec. 102-2. Enforcement; penalty.

Violations of this chapter shall be subject to a penalty per Section 1-11.

(1) The contractor shall have the authority to monitor compliance with this chapter and record violations for purposes of enforcement. The contractor may maintain such records as documentation of violations within the city.

(Code 1986, § 11.03(13), Ord. 2013-10)

Sec. 102-3. Separation of recyclables.

(a) No person may dispose of or participate in the disposal of recyclables generated from within the city in a solid waste disposal facility (landfill).

(b) No person shall, within the city, set out for collection and disposal to a solid waste disposal facility (landfill) any recyclables. This subsection does not apply to recyclables placed in recycling containers exclusively used for storing recyclables to be delivered to a recycling facility or otherwise collected pursuant to this chapter.

(Code 1986, § 11.03(2))

Sec. 102-4. Duties of operators of multi-unit residential and nonresidential facilities.

(a) The owner or occupant of a building with five or more household units and the owner or occupant of every commercial, retail or industrial unit within the city shall comply with the following:

(1) Provide an adequate dumpster for solid waste to be collected for disposal in a solid waste disposal facility (landfill).

(2) In addition to the dumpster described in subsection (a) (1) of this section, provide an adequate dumpster for recyclables. The volume of such a dumpster shall not be less than 25 percent of the volume of the dumpster provided under subsection (a)(1) of this section for the same unit or set of units.

(3) Notify all tenants, users and occupants of the facilities or buildings of the requirements of this section and procedures promulgated under this section. In the case of a residential dwelling unit, such notice shall be given at the time the tenant first leases or rents the unit and semiannually thereafter.

(4) Provide for the collection of recyclables separated from the solid waste by the tenants, users or occupants of the facility or building and delivery of the recyclables to a recycling facility.

(5) Provide for the collection of solid waste, except as specified in subsection (a)(4) of this section, generated by the tenants, users or occupants of the facility or building and dispose of the materials collected in an approved manner.

(b) Residences with four or less household units and every governmental unit shall and commercial or retail collection points which generate no more than one (1) solid waste containers of nonrecyclable solid waste per week may be included with the city collection program, provided that they conform to all the recycling provisions of this chapter.

(Code 1986, § 11.03(3), Ord. 2013-10)

Sec. 102-5. Collection regulations.

Collection within the city shall be according to the following:

- (1) Standards for containers. Every person producing or accumulating solid waste or recyclable materials on premises under his charge or control shall use and renew, when necessary, one (1) solid waste and one (1) recycling containers to hold the materials without overloading. All containers shall be maintained in a good, clean and sanitary condition. Any defective container having ragged or sharp edges or any other defect which may injure or hamper the person collecting or handling the container shall be replaced by a new container.
- (2) Placement of containers. Solid waste and recycling containers as described in this section shall be placed within two feet of the curb or edge of the pavement not earlier than 5:00 p.m. on the day preceding the scheduled collection and not later than 6:00 a.m. of the scheduled day of collection and shall be returned by the occupant to the point of storage within 12 hours after the material in the container is emptied.
- (3) Collection schedule. Solid waste and curbside recyclables shall be collected according to the schedule set by the municipal services committee in strict conformity with the provisions of this chapter and with such additional rules and regulations as may be made from time to time. However, any time the need for more or less frequency is indicated, such change in collections may be made by the superintendent of municipal services with the approval of the municipal services committee and the collector.
- (4) Preparation of solid waste and recyclables.
 - a. Garbage. To keep garbage containers reasonably clean and sanitary and to facilitate the dumping of the containers, all garbage shall be drained of excess water and then wrapped or enclosed in paper or plastic before depositing it in a container. The owner of the container shall be responsible for keeping the container reasonably clean and sanitary.
 - b. Curbside Recyclables. Curbside recyclables may be commingled and placed in the recycling containers, provided they have been prepared as follows:
 1. All glass bottles and jars shall be rinsed clean and the caps removed. No type of glass other than glass bottles shall be included.
 2. All metal cans shall be rinsed clean. Miscellaneous metal shall not be included.

3. Plastic, types 1 through 7. Plastic bottles and containers shall be rinsed clean and the labels and caps removed.
 4. Newspaper and anything that comes with it may be included.
 5. Corrugated paper and cardboard may be included.
 6. Chipboard may be included.
 7. Office paper may be included.
 8. Magazines and catalogs may be included.
 9. Aseptic packaging shall be rinsed clean.
- c. Bulky items. Bulky items shall be picked up once per month as scheduled by the city and contractor. Bulky items shall be placed on the ground near the household unit's collection point.
- (5) Appliances. All appliances will be collected by the contractor with the city upon such terms and conditions as the contractor shall establish. Any person having an appliance to be removed shall arrange with the contractor for such removal. The city shall make available to any person the appropriate contact at the contractor for removal of the appliance.
- (6) Yard refuse material. Yard refuse material will be collected by city personnel on a frequency not to exceed once per month. The collection day will be set by the superintendent of municipal services with the approval of the municipal services committee. Any yard refuse material placed in a bag for collection must be placed in a yard refuse bag, and the manufacturer's label is to be visible to the collector.
- (7) Ashes. All ashes shall be placed in an acceptable plastic container and securely closed.
- (8) Tire waste. Automotive tires may be placed at curbside for collection during regularly scheduled recycling pickups. Each household is limited to the collection of eight (8) automotive tires per year.
- (9) Oil waste. Waste oil may be collected during scheduled recycling pickup, provided it is placed at curbside in a sealed container not to exceed five (5) gallons.

(Code 1986, § 11.03(4), Ord. 2013-10, Ord. 2014-02)

Sec. 102-6. [Repealed].

(Code 1986, § 11.03(5), Ord. 2013-10)

Sec. 102-7. Handling of uncollectible materials.

Uncollectible materials shall be removed by and at the expense of the owner or occupant, and such removal shall be arranged directly with the contractor.

(Code 1986, § 11.03(6))

Sec. 102-8. Access for unusual pickup points.

Where it is more economical and advisable to the city due to extreme building, where the property owners sign a waiver or release releasing the collector from property damage liability, the collector may go on private property with a vehicle to pick up solid waste and curbside recyclables.

(Code 1986, § 11.03(7), Ord. 2013-10)

Sec. 102-9. Adjustment of collection schedule for holidays.

The collection schedule will be adjusted to accommodate legally designated holidays.

(Code 1986, § 11.03(8), Ord. 2013-10)

Sec. 102-10. Use of garbage disposals.

Any person may dispose of garbage into the sanitary sewer system by the use of a garbage grinding device, provided that such device or discharge does not hamper or destroy the sanitary sewer system or the operation of the sanitary sewer wastewater treatment facility or in any way pollute the watercourse into which the wastewater treatment facility discharges and is installed in compliance with the Wisconsin Plumbing Code, latest edition.

(Code 1986, § 11.03(9))

Sec. 102-11. Prohibited disposal.

No material which may be collected as provided in this chapter shall be dumped or otherwise disposed of at any place within the city. No person shall bury or cause to be buried any solid waste within the corporate limits of the city. No person shall deposit any solid waste created, generated or collected outside of the city upon any premises owned either by him or others within the corporate limits of the city.

(Code 1986, § 11.03(10))

Sec. 102-12. Payment of costs of collection.

The expense of collecting solid waste from residences with four or less household units and from commercial or retail establishments participating in the city collection program shall be paid by a special charge pursuant to Wisconsin Statutes section 66.0627, except as noted in this chapter for appliance recycling.

(Code 1986, § 11.03(11), Ord. 2013-10)

Sec. 102-13. Solid waste district.

A solid waste district is hereby established, which shall include all the territory within the corporate limits of the city.

(Code 1986, § 11.03(12))